

RECEIVED
CENTRAL FAX CENTER

NOV 02 2006

LAW OFFICES
GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C.
PATENT, TRADEMARK AND COPYRIGHT PRACTICE
303 DETROIT STREET
SUITE 300
ANN ARBOR, MICHIGAN 48104-1144

(734) 913-9300
FACSIMILE (734) 913-6007
jposn@patlaw.com
dwathen@patlaw.com
mbancroft@patlaw.com
jstaple@patlaw.com

FACSIMILE TRANSMISSION

DATE: November 2, 2006
TO: EXAMINER ALVIN STEWART
FACSIMILE NO.: 571-273-8300
FROM: John G. Posa
PAGES TRANSMITTED (INCLUDING COVER SHEET): 8
ORIGINAL DOCUMENTS WILL ____ / WILL NOT XX FOLLOW BY MAIL
RE: SN 10/767,194

MESSAGE:

Information contained in this facsimile may be PRIVILEGED and CONFIDENTIAL. It is intended only for the use of the person or entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is neither intended nor permissible. If this facsimile has been received in error, please notify us immediately (call collect) and return the facsimile to us.

RECEIVED
CENTRAL FAX CENTER

NOV 02 2006

PTO/SB/07 (09-08)

Approved for use through 03/31/2007. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

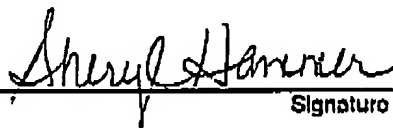
Application No. (if known): 10/767,194

Attorney Docket No.: BAF-16802/29

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on November 2, 2006
Date



Signature

Sheryl Hammer

Typed or printed name of person signing Certificate

Registration Number, if applicable

(734) 913-9300

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Amendment in Response to Non-Final Office Action

Amendment Transmittal (1 page)

RECEIVED
CENTRAL FAX CENTER

NOV 02 2006

AMENDMENT TRANSMITTAL LETTER				Docket No. BAF-16802/29	
Application No. 10/767,194-Conf. #5735		Filing Date January 29, 2004		Examiner A. J. Stewart	
				Art Unit 3738	
Applicant(s): Bret A. Ferree					
Invention: IN SITU ARTIFICIAL DISC REPLACEMENTS AND OTHER PROSTHETIC COMPONENTS					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	18	- 21 =	0	x 25.00	0.00
Independent Claims	2	- 3 =	0	x 100.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>07-1180</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
				Dated: <u>November 2, 2006</u>	
John G. Posa Attorney/Agent Reg. No.: <u>37,424</u> GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C. 2701 Troy Center Drive, Suite 330 Post Office Box 7021 Troy, Michigan 48007-7021 (734) 913-9300					

RECEIVED
CENTRAL FAX CENTER

NOV 02 2006

Docket No.: BAF-16802/29 (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Bret A. Ferrec

Application No.: 10/767,194

Confirmation No.: 5735

Filed: January 29, 2004

Art Unit: 3738

For: In situ artificial disc replacements and other
prosthentic components

Examiner: A. J. Stewart

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated August 2, 2006, please amend the above-identified
U.S. patent application as follows:

GIFFORD, KRASS, GRCH, SPRINKLE, ANDERSON & CITKOWSKI, P.C. 2701 TROY CENTER DR., SUITE 330, P.O. BOX 7021 TROY, MICHIGAN 48067-7021 (248) 647-6000